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ADMITTED IN NEW JERSEY AND NEW YORK

June 21, 2021

BY ECF

Hon. Barbara C. Moses, U.S.M.J.
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *James O'Keefe III v. Twitter, Inc.*
1:21-cv-04240-GHW-BCM

Dear Judge Moses:

As discussed at the hearing on June 18th in connection with our pre-motion application concerning remand, the oral stipulation made by plaintiff's counsel in open court reiterates the lack of subject matter jurisdiction apparent from the face of the complaint itself, and remand is required pursuant to 28 U.S. Code § 1447(c).

We did offer to memorialize the stipulation to accelerate the process and conserve judicial resources. We do so by this submission, and state again that plaintiff waives any claim to damages of any kind in an amount equal to or greater than \$75,000 in this matter. Plaintiff reserves his right to seek damages less than \$75,000 and to all non-monetary remedies in the case.

Respectfully submitted,

Ronald D. Coleman

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